

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>SMITHLEY ATTORNEY</b>  <b>SUPERVISOR DEPUTY BRUCE MCGIGIN</b>  <b>ATTORNEY GENERAL XAIVER BECERRA</b>          TELEPHONE NO: _____ FAX NO. (Optional): _____          E-MAIL ADDRESS (Optional): _____          ATTORNEY FOR (Name): <b>DANNY JR CARDENAS COMPLAINT PLAINTIFF</b></p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>ALAMEDA FEDERAL COURT</b>          STREET ADDRESS: <b>1300 CLAY ST SUITE 400 JUDGE JEFFREY S. WHITE</b>          MAILING ADDRESS: <b>1300 CLAY ST.</b>          CITY AND ZIP CODE: <b>OAKLAND, CA. 94612</b>          BRANCH NAME: _____</p> <p>PLAINTIFF: <b>DANNY JR. CARDENAS</b>          DEFENDANT: <b>ATTORNEY GENERAL XAIVER BECERRA</b>  <b>SUPERVISOR DEPUTY GENERAL BRUCE MCGIGIN</b></p> <p><input type="checkbox"/> DOES 1 TO <b>YES</b></p> <p><b>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b>  <input checked="" type="checkbox"/> <b>AMENDED (Number):</b>          Type (check all that apply):  <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): _____  <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death  <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify): <b>PRUNITIVE</b></p> <p>Jurisdiction (check all that apply):  <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE          Amount demanded <input type="checkbox"/> does not exceed \$10,000  <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000  <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)  <input checked="" type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint  <input type="checkbox"/> from limited to unlimited <b>SUM \$0.00</b>  <input type="checkbox"/> from unlimited to limited <b>DEFAULT COURT ORDER</b></p>	<p style="text-align: center;">FOR COURT USE ONLY</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">FILED <i>a</i></p> <p style="text-align: center; font-weight: bold;">OCT 13 2020</p> <p style="text-align: center;">SUSAN Y. SOONG          CLERK, U.S. DISTRICT COURT          NORTH DISTRICT OF CALIFORNIA          OAKLAND OFFICE</p> <p>CASE NUMBER:  <b><u>19-8450-JSW</u></b></p>
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1. Plaintiff (name or names): **DANNY JR. CARDENAS** **TO HIRE ATTORNEY.**  
 alleges causes of action against defendant (name or names): **DEFAULT FAILURE TO ANIMATE JUSTICE ATTEMPT TO AVOID PROSECUTION RECOVERY**
2. This pleading, including attachments and exhibits, consists of the following number of pages: **PRUNITIVE DAMAGES**
3. Each plaintiff named above is a competent adult
- a. ☐ except plaintiff (name):
- (1) ☐ a corporation qualified to do business in California
  - (2) ☐ an unincorporated entity (describe):
  - (3) ☒ a public entity (describe):
  - (4) ☐ a minor ☒ an adult
    - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
    - (b) ☐ other (specify):
  - (5) ☐ other (specify):
- b. ☒ except plaintiff (name):
- (1) ☐ a corporation qualified to do business in California
  - (2) ☐ an unincorporated entity (describe):
  - (3) ☒ a public entity (describe):
  - (4) ☐ a minor ☒ an adult
    - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
    - (b) ☐ other (specify): **DANNY JR CARDENAS UNKNOWN OUT STATE BUSINESS**
  - (5) ☒ other (specify):

☒ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.



SHORT TITLE: <b>Federal Law Suite 1983</b> <b>JUNCTIONS #10/21/20</b>	CASE NUMBER: <b>4:19-cv-08450-JSW</b> <b>2:19-cv-00691-TLN-Dmc-P</b>
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4. ☐ Plaintiff (name): **DANNY JR. GARDEN**  
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown  
(2) ☐ a corporation  
(3) ☐ an unincorporated entity (describe):

- (4) ☐ a public entity (describe):

- (5) ☐ other (specify):

- c. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown  
(2) ☐ a corporation  
(3) ☐ an unincorporated entity (describe):

- (4) ☐ a public entity (describe):

- (5) ☐ other (specify):

- b. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown  
(2) ☐ a corporation  
(3) ☐ an unincorporated entity (describe):

- (4) ☐ a public entity (describe):

- (5) ☐ other (specify):

- d. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown  
(2) ☐ a corporation  
(3) ☐ an unincorporated entity (describe):

- (4) ☐ a public entity (describe):

- (5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. ☐ Doe defendants (specify Doe numbers): \_\_\_\_\_ were the agents or employees of other named defendants and acted within the scope of that agency or employment.  
b. ☐ Doe defendants (specify Doe numbers): \_\_\_\_\_ are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

- a. ☐ at least one defendant now resides in its jurisdictional area.  
b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.  
c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.  
d. ☒ other (specify): **Judge executed federal order for produce**

9. ☒ Plaintiff is required to comply with a claims statute, and

- a. ☒ has complied with applicable claims statutes, or **NEEDS ATTORNEY MONEY TO ADVISE ATTORNEY**  
b. ☐ is excused from complying because (specify): **TO EXECUTE**



PLD-PI-001

SHORT TITLE:

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle  
 b. ☒ General Negligence  
 c. ☒ Intentional Tort  
 d. ☒ Products Liability  
 e. ☒ Premises Liability  
 f. ☒ Other (specify):

CAIOUS INDIFFERENCES WANTING ME DEAD DISCRIMINATION

PUNITIVE DAMAGES NEED THE SUM OF

11. Plaintiff has suffered
- a. ☒ wage loss  
 b. ☒ loss of use of property  
 c. ☐ hospital and medical expenses  
 d. ☒ general damage  
 e. ☐ property damage  
 f. ☒ loss of earning capacity  
 g. ☒ other damage (specify):

need HIRE MY OWN ATTORNEY TO COMPLY WITH ORDER & SET  
 FUTURE DATE FOR DEMAND JURY RECOVERY

LIABILITY FOR  
 PUNITIVE DAMAGES  
 INTITLED TO FULL  
 RECOVERY OF 26.0  
 million dollars.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
- a. ☐ listed in Attachment 12.  
 b. ☐ as follows:

LOSS OF VISION TO BOTH EYE'S  
 LOSS OF MONEY TO HIRE ATTORNEY  
 E/O LIABILITY & LAW SUITE. BRAIN LOW FUNCTIONALITY  
 WAS DEAD WAS WANTED EXECUTED  
 ATTEMPT KILL MURDER ME AVOID LIABILITIES  
 ATTEMPT TO COMMIT PERJURY IN THE COURT  
 DENIAL OF 4TH & 14TH CONSTITUTIONAL RIGHT TO AIR ACCESS  
 TO A ATTORNEY TO REPRESENT ME CAUSE UNUSUAL PUNISHMENT  
 DISCRIMINATION TO ALL BACKS LIKE ME WILL KILL WATCH ANY ONE CAN GET IT  
 NO OFFICIAL WORDS TO ME.

13. The relief sought in this complaint is within the jurisdiction of this court.
14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☐ compensatory damages  
 (2) ☐ punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) ☐ according to proof 26.0 million dollars full BLIND BOTH EYES LOW COGNITIVE FUNCTIONAL  
 (2) ☒ in the amount of \$ RETAIN LAWYER WITH THIS LAW SUITE OF 10,000 IN TOTAL

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date:

10/6/2020

G-36254

DANNY JR. CARDENAS

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

WRITER/WITNESS JOSE ORTEGA.

AWARD TO  
 HIRE COUNSEL  
 PLEASE  
 APPEAR  
 IN COURT  
 ANSWER  
 AMER

DISABILITIES



**ABSTRACT OF JUDGMENT - PRISON COMMITMENT - DETERMINATE**  
**(NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-290 ATTACHED)**

CR-290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

G 36254 A

PEOPLE OF THE STATE OF CALIFORNIA vs.  
DEFENDANT: DANIEL CARDENAS, JR.

DOB: 10-30-82

H-50097

-A

AKA:

CII#: 29048408

-B

BOOKING INFORMATION: PFN: BDU350 CEN: 0429251

☐ NOT PRESENTCOMMITMENT TO STATE PRISON  
ABSTRACT OF JUDGMENT☐ AMENDED  
ABSTRACTDATE OF HEARING  
03-02-11DEPT. NO.  
513JUDGE  
STUART HINGCLERK  
Susan FerreiraREPORTER  
Deborah Wolfe #6121PROBATION NUMBER OR PROBATION OFFICER ☐ IMMEDIATE SENTENCING  
Ryan McCreary, DPOCOUNSEL FOR PEOPLE ☒ Deputy District Attorney ☐ State Attorney General  
Paul Pinney, DDACOUNSEL FOR DEFENDANT ☐ Deputy Public Defender ☒ Private Counsel  
David Byron, Esquire

**ENDORSED  
FILED  
ALAMEDA COUNTY  
MAR 22 2011  
CLERK OF THE SUPERIOR COURT  
MICHELLE SOUZA**

1. Defendant was convicted of the commission of the following felonies:  
☐ Additional counts are listed on attachment  
 \_\_\_ (number of pages attached)

COUNT	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (Month/Date/Year)	Convicted by			Term (L, M, U)	Concurrent	Consecutive 1/3 Violent	Consecutive 1/3 Non Violent	Consecutive Full Term	Incomplete sentence (Refer to item 5)	654 Stay	Principal or Consecutive Time Imposed	
						JURY	COURT	PLEA								YRS.	MOS.
1	PC	187(a)/664(a)	Attempted Murder	2010	01-31-11			X	U							09	00
6	PC	137(b)	Intimidation of Witness	2010	01-31-11			X	M				X			03	00
10	PC	137(b)	Intimidation of Witness	2010	01-31-11			X	M				X			03	00

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

COUNT	ENHANCEMENT	TIME IMPOSED OR 'S' FOR STAYED	ENHANCEMENT	TIME IMPOSED OR 'S' FOR STAYED	ENHANCEMENT	TIME IMPOSED OR 'S' FOR STAYED	TOTAL
1	12022.7(a) PC	3	12022(b)(1) PC	1			04 00

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTION OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	TIME IMPOSED OR 'S' FOR STAYED	ENHANCEMENT	TIME IMPOSED OR 'S' FOR STAYED	ENHANCEMENT	TIME IMPOSED OR 'S' FOR STAYED	TOTAL
667.5(b) PC	1					01 00

4. ☐ Defendant was sentenced per: ☐ PC 667 (b)-(i) or PC 1170.12 (two-strikes)  
☐ PC 1170(a)(3). Pre-confinement credits equal or exceed time imposed (Paper Commitment). Def. ordered to report to local Parole Office upon release.

5. INCOMPLETE SENTENCE(S) CONSECUTIVE

COUNTY	CASE NUMBER

6. TOTAL TIME ON ATTACHED PAGES:

7. ☐ Additional indeterminate term (see CR-292).

8. TOTAL TIME excluding county jail term: 20 00

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.



PEOPLE OF THE STATE OF CALIFORNIA vs.  
 DEFENDANT: DANIEL CARDENAS, JR.

INMATE COPY

H-50097

-A

-B

-C

-D

9. FINANCIAL OBLIGATIONS (including any applicable penalty assessments):

a. Restitution Fines(s):

Case A: \$1,000.00 per PC 1202.4(b) forthwith per PC 2085.5; \$1,000.00 per PC 1202.45 suspended unless parole is revoked.  
 \$\_\_\_\_\_ per PC 1202.44 is now due, probation having been revoked.  
 Case B: \$\_\_\_\_\_ per PC 1202.4(b) forthwith per PC 2085.5; \$\_\_\_\_\_ per PC 1202.45 suspended unless parole is revoked.  
 \$\_\_\_\_\_ per PC 1202.44 is now due, probation having been revoked.  
 Case C: \$\_\_\_\_\_ per PC 1202.4(b) forthwith per PC 2085.5; \$\_\_\_\_\_ per PC 1202.45 suspended unless parole is revoked.  
 \$\_\_\_\_\_ per PC 1202.44 is now due, probation having been revoked.  
 Case D: \$\_\_\_\_\_ per PC 1202.4(b) forthwith per PC 2085.5; \$\_\_\_\_\_ per PC 1202.45 suspended unless parole is revoked.  
 \$\_\_\_\_\_ per PC 1202.44 is now due, probation having been revoked.

b. Restitution per PC 1202.4(f):

Case A: \$\_\_\_\_\_ ☒ Amount to be determined to: ☐ victim(s)\* ☐ Restitution Fund  
 Case B: \$\_\_\_\_\_ ☐ Amount to be determined to: ☐ victim(s)\* ☐ Restitution Fund  
 Case C: \$\_\_\_\_\_ ☐ Amount to be determined to: ☐ victim(s)\* ☐ Restitution Fund  
 Case D: \$\_\_\_\_\_ ☐ Amount to be determined to: ☐ victim(s)\* ☐ Restitution Fund

☐ \* Victim name(s) if known and amount breakdown in item 11, below. ☐ \* Victim name(s) in probation officer's report.

c. Fine(s):

Case A: \$\_\_\_\_\_ per PC 1202.5. \$\_\_\_\_\_ per VC 23550 or \_\_\_\_\_ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive  
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$\_\_\_\_\_ Drug Program Fee per HS 11372.7(a) for each qualifying offense  
 Case B: \$\_\_\_\_\_ per PC 1202.5. \$\_\_\_\_\_ per VC 23550 or \_\_\_\_\_ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive  
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$\_\_\_\_\_ Drug Program Fee per HS 11372.7(a) for each qualifying offense  
 Case C: \$\_\_\_\_\_ per PC 1202.5. \$\_\_\_\_\_ per VC 23550 or \_\_\_\_\_ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive  
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$\_\_\_\_\_ Drug Program Fee per HS 11372.7(a) for each qualifying offense  
 Case D: \$\_\_\_\_\_ per PC 1202.5. \$\_\_\_\_\_ per VC 23550 or \_\_\_\_\_ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive  
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$\_\_\_\_\_ Drug Program Fee per HS 11372.7(a) for each qualifying offense

d. Court Security Fee: \$240.00 per PC 1465.8. e. Criminal Conviction Assessment: \$180.00 per GC 70373.

10. TESTING: a. ☒ Compliance with PC 296 verified b. ☐ AIDS per PC 1202.1 c. ☐ other (specify): \_\_\_\_\_

11. OTHER ORDERS (specify): Pay \$250.00 Probation Investigation Fee per PC 1203.1b.

12. IMMEDIATE SENTENCING

☐ Probation to prepare and submit post-sentence report to CDCR per PC 1203c. Defendant's race/national origin: HIS

13. EXECUTION OF SENTENCING IMPOSED

a. ☒ at initial sentencing hearing d. ☐ at resentencing per recall of commitment (PC 1170(d))  
 b. ☐ at resentencing per decision on appeal e. ☐ other (specify): \_\_\_\_\_  
 c. ☐ after revocation of probation

14. CREDIT FOR TIME SERVED

CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT		CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT	
A	403	351	52	<input type="checkbox"/> 4019 <input checked="" type="checkbox"/> 2933.1	C			<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1	
B				<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1	D			<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1	

DATE SENTENCE PRONOUNCED:  
 03-02-11

TIME SERVED IN STATE INSTITUTION

DMH CDC CRC  
 ( ) ( ) ( )

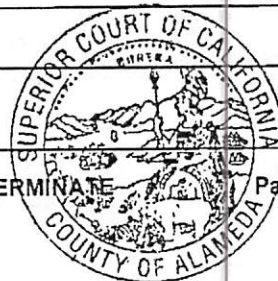
15. Defendant is remanded to the custody of the sheriff: ☒ forthwith ☐ after 48 hours excluding Saturdays, Sundays and holidays.  
 To be delivered to: ☒ the reception center designated by Director, California Dept. of Corrections and Rehabilitation: ☒ San Quentin ☐ Chowchilla  
☐ other (specify): \_\_\_\_\_

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE  
 Michelle Souza

DATE  
 03-22-11





POOR ORIGINAL  
Dept. No. 605

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA,  
FREMONT HALL OF JUSTICEFILED  
ALAMEDA COUNTY

PEOPLE OF THE STATE OF CALIFORNIA

NO. 237105

v.

THIRD AMENDED COMPLAINT

By

CLERK OF THE SUPERIOR COURT  
DeputyDANNY CARDENAS JR  
also known as  
RUDY AYALA4681  
2001  
5005

PFN: BDU350

CEN: 0429251

TA 01/31/2011

RESTITUTION

Defendant(s).

The Undersigned, being sworn says, on Information and belief, that DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, on or about March 16, 2010, commit a Felony, to wit: ~~WILLFUL, DELIBERATE, PREMEDITATED ATTEMPTED MURDER~~, a violation of section 187(a)/664(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully and with malice aforethought, attempt to murder CRYSTAL CARDENAS, a human being. ~~It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(e).~~ 1/31/11

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**GREAT BODILY INJURY CLAUSE AS TO DEFENDANT CARDENAS**

It is further alleged as to count one, that in the commission of the above offense the said defendant DANNY CARDENAS, JR, personally inflicted great bodily injury upon CRYSTAL CARDENAS, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

**USE OF DEADLY WEAPON CLAUSE AS TO DEFENDANT CARDENAS**

It is further alleged as to count one, that in the commission and attempted commission of the above offense, the said defendant DANNY CARDENAS, JR, personally used a deadly and dangerous weapon(s), to wit: KNIFE, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

The foregoing instrument is a  
correct copy of the original on  
file in this office

ATTES:



Executive Officer, Superior Court,  
State of California, County of Alameda  
BY Michael J. [Signature] DEPUTY



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### SECOND COUNT

The Undersigned further deposes and says on Information and belief, that said DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, on or about March 16, 2010, commit a Felony, to wit: ASSAULT WITH DEADLY WEAPON, a violation of section 245(a)(1) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully commit an assault upon CRYSTAL CARDENAS with a deadly weapon, to wit: KNIFE, and by means of force likely to produce great bodily injury.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(31) in that the assault was committed with a deadly and dangerous weapon.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

#### GREAT BODILY INJURY CLAUSE AS TO DEFENDANT CARDENAS

It is further alleged as to count two, that in the commission of the above offense the said defendant DANNY CARDENAS, JR, personally inflicted great bodily injury upon CRYSTAL CARDENAS, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

### THIRD COUNT

The Undersigned further deposes and says on Information and belief, that said DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, on or about March 16, 2010, commit a Felony, to wit: ASSAULT WITH DEADLY WEAPON, a violation of section 245(a)(1) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully commit an assault upon CRYSTAL CARDENAS with a deadly weapon, to wit: KNIFE, and by means of force likely to produce great bodily injury.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(31) in that the assault was committed with a deadly and dangerous weapon.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

#### GREAT BODILY INJURY CLAUSE AS TO DEFENDANT CARDENAS

It is further alleged as to count three, that in the commission of the above offense the said defendant DANNY CARDENAS, JR, personally inflicted great bodily injury upon CRYSTAL CARDENAS, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."



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**FOURTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNYCARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, on or about March 16, 2010, commit a Felony, to wit: CRIMINAL THREATS, a violation of section 422 of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully threaten to commit a crime which would result in death and great bodily injury to CRYSTAL CARDENAS, with the specific intent that the statement be taken as a threat.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

It is further alleged that the threatened crime, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate and specific as to convey to CRYSTAL CARDENAS a gravity of purpose and an immediate prospect of execution.

It is further alleged that the said CRYSTAL CARDENAS was reasonably in sustained fear of his/her safety and the safety of his/her immediate family.

**GREAT BODILY INJURY CLAUSE AS TO DEFENDANT CARDENAS**

It is further alleged as to count four, that in the commission of the above offense the said defendant DANNY CARDENAS, JR, personally inflicted great bodily injury upon CRYSTAL CARDENAS, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

"NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)."

**USE OF DEADLY WEAPON CLAUSE AS TO DEFENDANT CARDENAS**

It is further alleged as to count four, that in the commission and attempted commission of the above offense, the said defendant DANNYCARDENAS, JR, personally used a deadly and dangerous weapon(s), to wit: KNIFE, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

**FIFTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNYCARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, between March 16, 2010 and April 14, 2010, commit a Felony, to wit: DISSUADING A WITNESS FROM PROSECUTING A CRIME, a violation of section 136.1(b)(2) of the PENAL CODE of California, in that said defendant(s) did unlawfully attempt to prevent and dissuade CRYSTAL CARDENAS, a victim and witness of a crime from causing a complaint, indictment, information, probation and parole violation to be sought and prosecuted and assisting in the prosecution thereof.

**SIXTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNYCARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, between March 17, 2010 and April 14, 2010, commit a Felony, to wit: INTIMIDATION OF WITNESS, a violation of section 137(b) of the PENAL CODE of California, in that said defendant(s) did unlawfully attempt by force and threat of force and by the use of fraud to induce CRYSTAL CARDENAS, a witness and person about to be called as a witness, and about to give material information pertaining to a crime to a law enforcement official, to give false and withhold true testimony.



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**SEVENTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, between March 18, 2010 and April 14, 2010, commit a Felony, to wit: DISSUADING A WITNESS FROM PROSECUTING A CRIME, a violation of section 136.1(b)(2) of the PENAL CODE of California, in that said defendant(s) did unlawfully attempt to prevent and dissuade CHRISTINE PERREIRA, a victim and witness of a crime from causing a complaint, indictment, information, probation and parole violation to be sought and prosecuted and assisting in the prosecution thereof.

**EIGHTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, between April 14, 2010 and April 14, 2010, commit a Felony, to wit: INTIMIDATION OF WITNESS, a violation of section 137(b) of the PENAL CODE of California, in that said defendant(s) did unlawfully attempt by force and threat of force and by the use of fraud to induce CHRISTINE PERREIRA, a witness and person about to be called as a witness, and about to give material information pertaining to a crime to a law enforcement official, to give false and withhold true testimony.

**NINTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, on or about June 16, 2010, commit a Felony, to wit: SOLICITATION OF MURDER, a violation of section 653f(b) of the PENAL CODE of California, in that said defendant(s) did unlawfully and with the intent that the crime be committed, solicit another, to wit: VIRGINIA RODRIGUEZ, to commit and join in the commission of the murder of CRYSTAL CARDENAS AND MICHAEL CARDENAS, human beings.

**TENTH COUNT**

The Undersigned further deposes and says on Information and belief, that said DANNY CARDENAS, JR also known as RUDY AYALA did, in the County of Alameda, State of California, on or about April 28, 2010, commit a Felony, to wit: INTIMIDATION OF WITNESS, a violation of section 137(b) of the PENAL CODE of California, in that said defendant(s) did unlawfully attempt by force and threat of force and by the use of fraud to induce MICHAEL CARDENAS, a witness and person about to be called as a witness, and about to give material information pertaining to a crime to a law enforcement official, to give false and withhold true testimony.

**FIRST PRIOR CONVICTION AS TO DEFENDANT CARDENAS**

The undersigned further alleges that before the commission of the offense specified above, said defendant DANNY CARDENAS, JR also known as RUDY AYALA, on or about September 22, 2004, was convicted in the Superior Court of the State of California, in and for the County of ALAMEDA, of the crime of a Felony, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11378 of the HEALTH AND SAFETY CODE of California, and received a sentence of probation therefor.



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**SECOND PRIOR CONVICTION AS TO DEFENDANT CARDENAS**

The undersigned further alleges that before the commission of the offense specified above, said defendant DANNY CARDENAS, JR also known as RUDY AYALA, on or about August 29, 2003, was convicted in the Superior Court of the State of California, in and for the County of SAN JOAQUIN, of the crime of a FELONY, to wit: POSSESSION OF A CONTROLLED SUBSTANCE, a violation of section 11377(a) of the HEALTH AND SAFETY CODE of California, and received a prison term therefor.

**PRIOR SEPARATE PRISON TERM (PC 667.5(B))**

It is further alleged that the above prior conviction is within the purview of Penal Code section 667.5(b) and that a separate term of imprisonment was served therefor as described in Penal Code section 667.5 for said offense, and that the defendant did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

**THIRD PRIOR CONVICTION AS TO DEFENDANT CARDENAS**

The undersigned further alleges that before the commission of the offense specified above, said defendant DANNY CARDENAS, JR also known as RUDY AYALA, on or about August 11, 2005, was convicted in the Superior Court of the State of California, in and for the County of SAN JOAQUIN, of the crime of a Felony, to wit: POSSESSION OF A CONTROLLED SUBSTANCE, a violation of section 11377(a) of the HEALTH AND SAFETY CODE of California, and received a prison term therefor.

**FOURTH PRIOR CONVICTION AS TO DEFENDANT CARDENAS**

The undersigned further alleges that before the commission of the offense specified above, said defendant DANNY CARDENAS, JR also known as RUDY AYALA, on or about August 11, 2005, was convicted in the Superior Court of the State of California, in and for the County of SAN JOAQUIN, of the crime of a Felony, to wit: UNLAWFUL DRIVING OR TAKING OF A VEHICLE, a violation of section 10851(a) of the VEHICLE CODE of California, and received a prison term therefor.



INMATE COPY

POOR ORIGINAL

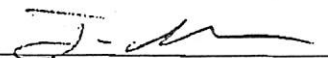
FIFTH PRIOR CONVICTION AS TO DEFENDANT CARDENAS

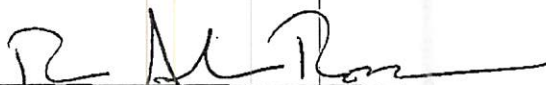
The undersigned further alleges that before the commission of the offense specified above, said defendant DANNY CARDENAS, JR also known as RUDY AYALA, on or about July 28, 2003, was convicted in the Superior Court of the State of California, in and for the County of SAN JOAQUIN, of the crime of a Felony, to wit: EVADING AN OFFICER, WILLFUL DISREGARD, a violation of section 2800.2(a) of the VEHICLE CODE of California, and received a prison term therefor.

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,  
Monday, January 31, 2011

 1/31/2011  
/s/ Union City PD-100316005; Union City PD-  
100325033

  
ROBERT C. ALOE  
Deputy District Attorney  
State Bar #104176 hb  
Alameda County, California



COST

**INMATE RAP ROUTE SLIP**

To: ADA COORDINATOR

Date: August 18, 2020

From: INMATE APPEALS OFFICE

Re: Appeal Log Number MCSP-D-20-02515 By Inmate CARDENAS, G36254

Please review this Reasonable Accommodation Request form (CDCR 1824) with the Reasonable Accommodation Panel (RAP) and provide a final response within 30 calendar day as noted in the below due date.

Request Issue: **ADA**

Due Date: **9/17/2020**

B. Cassesi, CCII  
Inmate Appeals Coordinator (A)  
MCSP X6643

**ADA**  
**RAP**

**REASONABLE ACCOMMODATION PANEL (RAP) RESPONSE**

RAP Meeting Date: 8/25/2020

Date IAC Received 1824: 8/18/2020

1824 Log Number: 20-02515

Inmate Name: CARDENAS

CDCR #: G36254

Housing: D18-A102-3L

**RAP Staff Present:** J. Weiss, A.W. ADA; S. Wong, MD; R. Deo, CCII ADA; B. Cassesi, CCII(A); R. Mosqueda, CCI ADA; L. Watson, HCCA; D. Azevedo, AGPA; J. Andres, Sgt.; C. Pap, SPS; S. Russell, OT.

**Summary of Inmate's 1824 Request:** Inmate CARDENAS states he wants a copy of "ADA-1170D Recall Resentence filed in Vacaville State Prison of record 2019, RAP Sheet, and response to request."

**Interim Accommodation:**

- ☒ No interim accommodation required as the inmate's issues are not found to cause personal injury or other serious harm while processing of this 1824.

**RAP is unable to process the following request(s):**

- ☐ Paroled/discharged/transferred. ☐ Duplicate request. See CDCR 1824 log #:  
☐ Refused to cooperate. ☐ Other:

**Final Response:** The Reasonable Accommodation Panel (RAP) members reviewed your request on 8/25/2020. This review encompassed your recent health care information, evaluations and SOMS file. A Disability Placement Program Accommodation Summary identifies you as an Armstrong Class Member DPV, and as a participant in the Mental Health Services Delivery System at the EOP level of care. The RAP reviewed your SOMS/ERMS file, based on the limited information provided by you could not locate the requested documents, and determined the issue in this case to be a Records matter. You are encouraged to write to the Records department to request copies of documents in your Central File. There are no barriers to accessing programs and services and no accommodation is required at this time.

**Direction If Dissatisfied:** This RAP decision is made based on medical evaluations/decisions. If you disagree with the medical evaluations/final decisions that have been made you may address your disagreement by attaching the CDCR 1824 package along with the RAP response to a newly completed CDCR 602 Healthcare Appeal (blue) form and placing it in a secure appeal collection box. If you agree with the medical evaluations/decisions but disagree with the decision made by the RAP, you may address your disagreement by attaching the CDCR 1824 package along with the RAP response to a newly completed CDCR 602 Inmate Appeal (green) form and placing it in a secure appeal collection box.

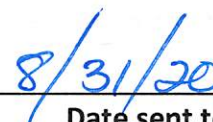
**Effective Communication:** A review of the Test of Adult Basic Education list confirms you have a Reading Grade Point Level below 4.0, therefore special accommodations will be arranged with your correctional counselor to ensure effective communication and understanding of the decisions made in this response.

Jean Weiss

ADA Coordinator/Designee



Signature



Date sent to inmate



POOR ORIGINAL

CARDENAS, DANNY

DOCKET #H50097

Information in this report was obtained from one or more of the following sources: CII, NCIC, CLETS, FBI, Alameda County CRIMS, CORPUS, PRISM, Alameda County Probation Adult and Juvenile Files and other sources, such as other California counties or other state criminal records.

CRIMINAL HISTORYJuvenile:Date:Offense and Disposition:

05/23/1996  
HAYWARD PD

Offense: PC 245(A) (1) F.

Disposition: 01/02/2004: Sustained finding, committed to CYA.  
03/14/2001: paroled from CYA.  
06/04/2002: parole revoked.  
03/04/2003: paroled from CYA.  
12/05/2003: discharged.

Alameda County Adult Convictions for DANIEL CARDENAS, PFN: BDU350Date:Offense and Disposition:

12/28/2003  
UNION CITY PD  
CEN: 3307289  
FHJ - 206495

Offense: HS 11377(A) M.

Disposition: 01/02/2004: Convicted, 3 years court probation, 25 days jail, \$120 fine.

03/15/2004  
HAYWARD PD  
CEN: 4240178  
HHJ - 373503

Offense: HS 11364 M.

Disposition: 06/01/2004: Convicted.

03/15/2004  
HAYWARD PD  
CEN: 4240178  
HHJ - 373503

Offense: PC 148(A)(1) M.

Disposition: 06/01/2004: Convicted.

03/15/2004  
HAYWARD PD  
CEN: 4240178  
HHJ - 373503

Offense: HS 11500(A) M.

Disposition: 06/01/2004: Convicted, 3 years court probation, 90 days jail, \$120 fine.

03/18/2004  
UNION CITY PD  
CEN: 4240974  
FHJ - 207481

Offense: PC 12020(A)(4) M.

Disposition: 03/25/2004: Convicted, 3 years court probation, 238 days jail, \$410 fine.

CARDENAS, DANNY

DOCKET #H50097

05/16/2004  
UNION CITY PD  
CEN: 4254520  
RCD - H36893C

Offense: HS 11378 F.Disposition: 09/22/2004: Convicted, 5 years formal probation, 120 days jail.

11/30/2005  
HAYWARD PD  
CEN: 5267248  
HHJ - 386906

Offense: VC 23152(A) M.Disposition: 12/19/2005: Convicted, 3 years court probation, 10 days jail, \$1,485 fine.

04/23/2008  
UNION CITY PD  
CEN: 8310879  
FHJ - 228231

Offense: PC 484(A) M.Disposition: 05/19/2008: Convicted, 3 years court probation, 30 days jail, \$500 fine.

03/17/2010  
UNION CITY PD  
CEN: 0429251  
RCD -

Offense: PC 187(a)/664 F; PC 137(b) F; PC 137(b) F; HS 11378(a) F.Disposition: 01/31/2011: Convicted, pending R&S.Out of County Adult Convictions:Date:Offense and Disposition:

05/28/2003  
STOCKTON PD

Offense: VC 23152(B) M; VC 14601(A) M; PC 12031(A) M; VC 2800.2 F.Disposition: 07/28/2003: Convicted, 5 years probation, fine, restitution.

08/14/2003  
STOCKTON PD

Offense: VC 14601.1(A) M; HS 11377(A) F.Disposition: 08/29/2003: Convicted, 5 years probation, fine, restitution.

07/30/2005  
SHERIFFS OFFICE  
(STOCKTON, CA)

Offense: HS 11377(A) F; VC 10851(A) F.Disposition: 08/11/2005: Convicted, 5 years probation, \$20 fine, \$200 restitution.

09/03/2008  
SHERIFFS OFFICE  
(STOCKTON, CA)

Offense: VC 10851 (A) F; VC 2800.2 F; HS 11377(A) F.Disposition: 10/16/2008: 2 years state prison.United States Citizen: (X) Yes ( ) No



POOR ORIGINAL

DEPT. 513

102-753 SM 7/61 (new)

03-22-11 mls

**INMATE COPY**  
**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**IN AND FOR THE COUNTY OF ALAMEDA**

Date: Mar. 2, 2011

Hon.

STUART HING

, Judge

, Deputy Sheriff

Susan Ferreira

, Deputy Clerk

Deborah Wolfe #6121

, Reporter

THE PEOPLE OF THE STATE OF CALIFORNIA

Counsel appearing  
for Plaintiff

Plaintiff

Paul Pinney, Deputy District Attorney

vs.

Counsel appearing  
for Defendant

DANIEL CARDENAS, JR.

Defendant

David Byron, Esquire

NATURE OF  
PROCEEDINGS:

REPORT AND SENTENCE

ACTION NO. H-50097  
BDU350  
0429251

Action comes on calendar this day, having been regularly set, for report and sentence. Probation Officer appearing is Ryan McCreary.

The defendant is present. The Court denies probation.

The defendant having been convicted on January 31, 2011 by plea of NO CONTEST to the offenses of felony, to wit: **Attempted Murder**, a violation of Section 187(a)/664(a) of the Penal Code of California, as orally amended in **Count One** of the Third Amended Complaint and **Intimidation of Witness**, a violation of Section 137(b) of the Penal Code of California as charged in **Counts Six and Ten** of the Third Amended Complaint. The defendant *ADmits* the *Great Bodily Injury Clause* pursuant to *Penal Code Section 12022.7(a)* and the *Use of Deadly Weapon Clause* pursuant to *Penal Code Section 12022(b)(1)* as charged in *Count One* of the Third Amended Complaint and further *ADmits* the *Second Prior Conviction* as charged in the Third Amended Complaint. Court found the defendant **GUILTY** as to **Counts One, Six and Ten** and further found the *Great Bodily Injury Clause* and the *Use of Deadly Weapon Clause* as charged in **Count One** and the *Second Prior Conviction* as charged in the Third Amended Complaint to be **TRUE**. On motion of the District Attorney, Court dismissed **Counts Two through Five and Seven through Nine** as charged in the Third Amended Complaint and struck the **First and Third through Fifth Prior Convictions** as charged in the Third Amended Complaint for sentencing purposes only.

The defendant waives formal arraignment for sentence and has no legal cause to show why the judgment of this Court should not be pronounced against him. The Court pronounces judgment.

The defendant has been held in custody for **351** actual days plus **52** days good time / work time credit for a total of **403** days as a result of the same criminal act or acts for which he has been convicted.

It is **ORDERED** that the said defendant be punished by imprisonment in state prison of the State of California for the **UPPER** term of **NINE (9) YEARS** as to **Count One** plus for the term of **THREE (3) YEARS** as to the *Great Bodily Injury Clause* and plus for the term of **ONE (1) YEAR** as to the *Use of Deadly Weapon Clause*; for the **MIDDLE** term of **THREE (3) YEARS** each as to **Counts Six and Ten** and for the term of **ONE (1) YEAR** as to the *Second Prior Conviction*. **TOTAL STATE PRISON TERM is TWENTY (20) YEARS.**

It is further **ORDERED** that sentences shall be served in respect to one another as follows: the term imposed as to the *Great Bodily Injury Clause* to be served consecutively to the term imposed as to **Count One**; the term imposed as to the *Use of Deadly Weapon Clause* in **Count One** to be served consecutively to the term imposed as to the *Great Bodily Injury Clause* in **Count One**; the term imposed as to **Count Six** to be served consecutively to the term imposed as to the *Use of Deadly Weapon Clause* in **Count One**; the term imposed as to **Count Ten** to be served consecutively to the term imposed as to **Count Six** and the term imposed as to the *Second Prior Conviction* to be served consecutively to the term imposed as to **Count Ten**.

and in respect to any prior incomplete sentence(s) as follows:

"THE COURT MAKES NO ORDER"

Defendant is to pay \$1,000.00 Restitution Fine pursuant to Section 1202.4(b) of the Penal Code.

Defendant is to pay \$1,000.00 Parole Violation Fine pursuant to Section 1202.45 of the Penal Code; suspended unless parole is revoked.

Defendant is to pay \$250.00 Probation Investigation Fee pursuant to Section 1203.1b of the Penal Code.

Defendant is to pay \$240.00 Court Security Fee pursuant to Section 1465.8 of the Penal Code.

Defendant is to pay \$180.00 Criminal Conviction Assessment Fine pursuant to Section 70373 of the Government Code.

Defendant is to submit blood and saliva samples pursuant to Section 296 of the Penal Code. (Compliance: February 8, 2006 per CRIMS.)

Restitution is reserved and to be determined.

Protective Order is to remain in full force and effect.

It is further **ORDERED** that the defendant is remanded into the custody of the Sheriff of the County of Alameda to be by him delivered to (X) the Director of Corrections of the State of California at San Quentin, California ( ) the California Institution for Women at Chowchilla, California.

08009

INMATE COPY

The foregoing instrument is a  
correct copy of the original on  
file in the office of the  
Recorder of Deeds.

ATTEST

Executed and attested at the County of Alameda Superior Court,  
State of California, County of Alameda  
BY Michael J. [Signature] DEPUTY



UNITED STATES DISTRICT COURT  
EASTERN DIST. OF CALIFORNIA  
501 I ST. SUITE 400  
SACRAMENTO, CA 95814

**CERTIFICATE OF SERVICE** CASE NO LAW 2020-00691

Case Name: **Cardenas, Danny v. B.S.  
Edwards, et al.**

No. **2:19-cv-00691-TLN-DMC**

I hereby certify that on June 8, 2020, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**Waiver of Service of Summons**

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On June 8, 2020, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

Danny Cardenas  
G36254  
Mule Creek State Prison  
P.O. Box 409020  
Ione, CA 95640  
Pro Se

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 8, 2020, at Sacramento, California.

C. Rojas  
Declarant

/s/ C. Rojas  
Signature

SA2020301256  
POS.docx

FEDERAL JUDGE  
AS/0 4:19-CV-08450 JSW  
JUDGE JEFFREY S. WHIT  
NORTHERN DIST COURT SUITE 400  
1300 CLAY ST. SUITE 400  
OAKLAND, CA 94612



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>BRUCE MCGIBIN</b> <b>ATTORNEY GENERAL XAVIER BECERRA</b>		FOR COURT USE ONLY
TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (Name): <b>DANNY CARDENAS</b> <b>FILING CIVIL LAW SUITE SIM 10,000</b>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>FEDERAL COURT</b> STREET ADDRESS: <b>CLAY ST SUITE 400</b> MAILING ADDRESS: <b>1300</b> CITY AND ZIP CODE: <b>OAKLAND, CA. 94612</b> BRANCH NAME: _____		
CASE NAME: <b>LI: 19-CV-08450 JSW</b> <b>2: 19-CV-00691-TLN-DMC-P</b>		
<b>CIVIL CASE COVER SHEET</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)     <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)         </div> <div style="width: 45%;"> <b>Complex Case Designation</b>  <input type="checkbox"/> Counter     <input checked="" type="checkbox"/> Joinder          Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)       </div> </div>		
CASE NUMBER: _____  JUDGE: <b>TEFFERY S WHITE</b> DEPT: <b>FEDERAL COURT CIVIL LAW SUITE</b>		

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input checked="" type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input checked="" type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input checked="" type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input checked="" type="checkbox"/> Business tort/unfair business practice (07) <input checked="" type="checkbox"/> Civil rights (08) <input checked="" type="checkbox"/> Defamation (13) <input checked="" type="checkbox"/> Fraud (16) <input checked="" type="checkbox"/> Intellectual property (19) <input checked="" type="checkbox"/> Professional negligence (25) <input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	<b>Contract</b> <input checked="" type="checkbox"/> Breach of contract/warranty (06) <input checked="" type="checkbox"/> Rule 3.740 collections (09) <input checked="" type="checkbox"/> Other collections (09) <input checked="" type="checkbox"/> Insurance coverage (18) <input checked="" type="checkbox"/> Other contract (37) <b>LAW SUITE</b> <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input checked="" type="checkbox"/> Construction defect (10) <input checked="" type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input checked="" type="checkbox"/> Environmental/Toxic tort (30) <input checked="" type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input checked="" type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input checked="" type="checkbox"/> RICO (27) <input checked="" type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input checked="" type="checkbox"/> Partnership and corporate governance (21) <input checked="" type="checkbox"/> Other petition (not specified above) (43) <b>CIVIL LAW CLAIM OF 10,000</b>
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2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |   |  |
|---|--|
| a. <input checked="" type="checkbox"/> Large number of separately represented parties<br>b. <input checked="" type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve<br>c. <input checked="" type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses<br>e. <input checked="" type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court<br>f. <input checked="" type="checkbox"/> Substantial postjudgment judicial supervision |
|---|--|
3. Remedies sought (check all that apply): a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): \_\_\_\_\_
5. This case ☒ is ☐ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: **10/6/2020** **DANNY JR. CARDENAS** (TYPE OR PRINT NAME) (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2



**Mule Creek State Prison**

Name: DANNY CARRAS

CDC#: 6-3624

Facility D Building 18 Cell C-105

P.O. Box 409020  
lone, CA 95640

CALIFORNIA DEPARTMENT OF CORRECTIONS  
AND REHABILITATION INDIGENT INMATE MAIL

Facility Post Office Boxes	
Facility A	P.O. Box 409020
Facility B	P.O. Box 409040
Facility C	P.O. Box 409060
Facility D	P.O. Box 409089
Facility E	P.O. Box 409090
Facility Minimum	P.O. Box 409000

PRISON GENERATED MAIL  
Mule Creek State Prison  
P.O. Box 409099  
lone, CA 95640



U.S. POSTAGE PITNEY BOWES  
ZIP 95640 \$ 000.50<sup>0</sup>  
02 4W  
0000338561 OCT 07 2020

DATA#1 10/6/20  
Federal Judge  
U.S. Northern Dist Court California  
1300 Clay St Suite 400  
Oakland CA 94612

#### UNAUTHORIZED ITEMS WITHIN INMATE MAIL

Mail containing any of the following items will be disallowed:

- Padded envelopes or cardboard containers.
- Cardstock, sketch pads, construction paper or colored paper.
- Musical greeting cards, videos, CD's or Cassette tapes.
- Cash, pens, pencils or markers.
- Identification cards, credit cards, bank cards, phone cards, etc.
- Polaroid photographs, negatives, slides or photo albums, Photos depicting drugs and/or drug paraphernalia. Photos, drawings, magazine articles, and/or pictorials displaying frontal nudity of either gender are not allowed. Nothing that depicts displays, or describes sexual penetration or sexual acts will be allowed.
- Gang affiliated material, hand gestures or signs.
- Clothing, food, hard plastic, metal, wood items, magnets, rubber, stickers glue or glitter.
- Tattoo patterns or tracing patterns. No jewelry will be allowed.
- Mail containing any unknown substance, powder, liquid, or solid.
- Lipstick, perfume, cologne, or scents of any kind.
- Anything deemed a threat to the safety and security of the Institution, or any correspondence deemed circumvention of mail policies and procedures.
- Mail that does not have a full return address.

#### AUTHORIZED ITEMS WITHIN INMATE MAIL

Incoming mail must weigh less than 13 ounces.

- 40 postage stamps/pre-stamped envelopes.
- Letters.
- Greeting cards.
- Photographs (no larger than 8" x 10")
- Checks/Money orders with inmate's name and CDCR#.
- Writing Paper (white/yellow lined only).
- Publications (books, magazines, newspapers) MUST come directly from vendor.
- For funds to be mailed directly to inmate's account, send through [www.jpays.com](http://www.jpays.com) or (800) 574-5729.